

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

MICHAEL M. DUPREE

§

VS.

§

CIVIL ACTION NO. 6:14cv829

M. L. RAY, ET AL.

§

ORDER OF DISMISSAL

Plaintiff Michael M. Dupree, a prisoner confined at the Van Zandt County Jail, proceeding *pro se* and *in forma pauperis*, filed the above-styled and numbered civil rights lawsuit pursuant to 42 U.S.C. § 1983. The complaint was directly assigned to United States Magistrate Judge John D. Love, who issued a Report and Recommendation concluding that the sole remaining defendant's motion to dismiss should be granted. The Plaintiff responded by filing a request to dismiss the case.

The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts same as the findings and conclusions of the Court. It is therefore

ORDERED that the Report and Recommendation (docket entry #35) is **ADOPTED**. It is further

ORDERED that the Defendant Officer Montiguado's motion to dismiss (docket entry #10) is **GRANTED**. It is further

ORDERED that the complaint is **DISMISSED** with prejudice. It is finally

ORDERED that all motions not previously ruled on are **DENIED**.

It is **SO ORDERED**.

SIGNED this 13th day of April, 2015.

A handwritten signature in black ink, reading "Michael H. Schneider". The signature is written in a cursive style with a horizontal line underneath it.

MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE